

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MINNIE ROSE, LLC,
Plaintiff,

- against -

ANNA YU a/k/a ANNA YUE, ELVA GREEN
CLOTHING COMPANY LTD a/k/a ELVA
GREEN CLOTHING (HK) CO., LTD., and
JOHN DOES 1-10,

Defendants.

ELVA GREEN CLOTHING (HK) CO., LTD
a/k/a ELVA GREEN CLOTHING COMPANY
LTD,

Third-Party Plaintiff,

-against-

LISA SHALLER GOLDBERG and JOHN
DOES 1-10,

Third-Party Defendants

ORDER

15-cv-1923 (ER)

Ramos, D.J.:

The Court grants the requested two-week adjournment of deadlines. Defendants Anna Yu and Elva Green Clothing (HK) Co., Ltd.'s (together, "Defendants") motion for judgment on the pleadings shall be filed on or before July 14, 2023; Plaintiffs' opposition shall be filed on or before August 4, 2023; and Defendants' reply shall be filed on or before August 11, 2023. The briefing schedule for Plaintiff Minnie Rose, LLC and Third-Party Defendant Lisa Shaller Golbderg's (together, "Plaintiffs") motions to preclude depositions and for Rule 37 sanctions remains unchanged from that ordered at the June 14, 2023 case management conference.

The Court notes, however, that Defendants' request for an extension of the motion deadline—which came on day the motion was due—was improper in several respects. As the Court's Individual Practices make clear, requests for adjournment and extensions of time must be filed as letter motions and include: (i) the original deadline; (ii) the number of previous requests for adjournment or extension and the reasons therefor; (iii) whether the previous requests were granted or denied; (iv) the reason for the instant request; and (v) the whether the adversary consents and, if not, why. The instant request satisfies only one of these requirements. First, it is filed as a stipulation and proposed order rather than the required letter motion. To be clear, parties may not stipulate to noncompliance with or modification of a court order. Second, the filing contains none of the information the Individual Practices require except that Plaintiffs consent to the extension. The Court cautions the parties to comply with its Individual Practices in the remainder of the litigation; otherwise, applications for relief will be denied.

Moreover, the Court notes that it has now repeatedly directed the parties, including at multiple status conferences, to move the case forward expeditiously. It now repeats those directions in writing. This case is eight years old, but—unjustifiably—discovery is not yet complete. Accordingly, **no further extensions will be granted except for good cause shown.**

SO ORDERED.

Dated: June 30, 2023
New York, New York



Edgardo Ramos, U.S.D.J.